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# Message Text

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PAGE 01 STATE 049119

67
ORIGIN L-03

INFO OCT-01 NEA-05 ADP-00 SCA-01 JUSE-00 RSC-01 /011 R

DRAFTED BY L/ M/ SCA: LAHUMMER: MA
3/16/73 EXT 20858
APPROVED BY L/ M/ SCA: KEMALMBORG
NEA/ IAI: MR. MCANDREW
---------- 076958
P 162136 Z MAR 73
FM SECSTATE WASHDC
TO AMEMBASSY TEL AVIV PRIORITY

C O N F I D E N T I A L STATE 049119

E. O. 11652, GDS
TAGS: PFOR, CPRS, IS

SUBJECT: EXTRADITION - JERRY ( JEROME) ZELLER

REF: TEL AVIV 2042

1. EMBASSY REQUESTED SEEK PROVISIONAL ARREST OF ZELLER UNDER ARTICLE 11 OF TREATY.

2. NEW YORK DISTRICT ATTORNEY WISHES CLARIFICATION REGARDING MISSING EVIDENCE. HE CAN GET DEATH CERTIFICATE AND AUTOPSY PROTOCOL ON KONES. HE ALSO HAS GRAND JURY TESTIMONY REGARDING CAUSE OF DEATH. UNDER NEW YORK LAW A DEATH CERTIFICATE IS ADMISSABLE AS A MATTER OF LAW IN A GRAND JURY. IS THE GRAND JURY TESTIMONY DESIRED AND IF SO, IS A DEATH CERTIFICATE STILL NEEDED?

3. DISTRICT ATTORNEY ALSO INFORMED US FEDERAL AUTHORITIES PLANNING TO REQUEST ZELLER' S EXTRADITION ON FEDERAL ARSON CHARGES GROWING OUT OF SAME BOMBING.

4. DISTRICT ATTORNEY CONCERNED BECAUSE ZELLER' S GIRL FRIEND, GUITELLE BERYL MASOWICKI, WHO IS ALSO KEY WITNESS AGAINST ZELLER IN BOTH STATE AND FEDERAL CASES, IS PRESENTLY IN ISRAEL VISITING ZELLER. THE
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TWO MIGHT BE CONTEMPLATING MARRIAGE. DEPARTMENT EXPLAINED TO HIM THAT SINCE NO CHARGES ARE PENDING AGAINST GIRL, EXTRADITION CANNOT BE USED TO GUARANTEE THAT SHE RETURNS TO UNITED STATES. NEEDLESS TO SAY, THE D. A. IS ANXIOUS TO MAKE SURE SHE WILL BE AVAILABLE IN UNITED STATES AT TIME OF TRIAL. DEPARTMENT DOES NOT KNOW WHETHER SHE HAS REQUESTED PERMANENT RESIDENT STATUS. DOES EMBASSY THINK ANYTHING CAN BE DONE TO ASSURE HER RETURN TO UNITED STATES OR ASSURE SHE DOES NOT REMAIN IN ISRAEL? ROGERS

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*** Current Handling Restrictions *** n/a
*** Current Classification *** CONFIDENTIAL

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**Draft Date:** 16 MAR 1973
**Decaption Date:** 01 JAN 1960
**Decaption Note:**
**Disposition Action:** RELEASED
**Disposition Approved on Date:**
**Disposition Authority:** martinjw
**Disposition Case Number:** n/a
**Disposition Comment:** 25 YEAR REVIEW
**Disposition Date:** 28 MAY 2004
**Disposition Event:**
**Disposition History:** n/a
**Disposition Reason:**
**Disposition Remarks:**
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**Subject:** EXTRADITION - JERRY ( JEROME) ZELLER
**TAGS:** CPRS, PFOR, IS
**To:** TEL AVIV
**Type:** TE
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